

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Operating Engineers Local #49 Health and Welfare Fund and Central Pension Fund of the International Union of Operating Engineers and Participating Employers, Local #49 International Union of Operating Engineers and Associated General Contractors of Minnesota Apprenticeship and Training Program and their Trustees,

Plaintiffs,

vs.

Johnson Crushing Incorporated and
Jeff J. Johnson, individually,

Defendants.

Civil No. 09-2731 (RHK/FLN)

ORDER

Pursuant to the Notice of Voluntary Dismissal (Doc. No. 8), **IT IS ORDERED** that this matter is **DISMISSED WITHOUT PREJUDICE** and without costs to either party.

Dated: June 22, 2010

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge